IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE
Arbitration Application No.118 of 2005

M/s.Wasan Automobiles Applicant
Vs.
M/s. Fiat India Pvt.Ltd. Respondent

Mr.Girish Thakur i/b M/s.Khaitan & Jayakar for applicant.
Ms.Kabadi i/b. Doijode Associates for respondent.

CORAM: B.H.MARLAPALLE,J.

July 14, 2006.

P.C.

. Heard the learned counsel for both the parties. Clause 17 of the Contract Agreement (Dealership Agreement) provides for settlement of disputes, if any, by arbitration under the Arbitration and Conciliation Act, 1996.

. The applicant had addressed a letter on 23/12/2003 and informed the respondent that Shri Sharad Laxman Deshpande was appointed as its panel arbitrator. However, in spite of reminders the respondent did not intimate the name of its panel arbitrator so as to constitute an arbitral tribunal in terms of clause 17 of the Dealership Agreement. The learned counsel for the respondent states that its panel arbitrator should be a retired Judge of

this High Court.

. Hence Hon'ble Mr.Justice S.D. Pandit (Retd.) is hereby appointed as the panel arbitrator of the respondent i.e. M/s. Fiat India Pvt.Ltd. Both the arbitrators will meet as expeditiously as possible within a period of four weeks from today at Mumbai and appoint the presiding arbitrator. The application is disposed off accordingly.

. A copy of this order be forwarded to Hon'ble Mr.Justice S.D.Pandit (Retd.) forthwith.

(B.H.MARLAPALLE,J.)